

Amendments to the Drawings

The attached two sheets of drawings replace the original sheets for FIGS. 1, 2, and 3. These replacement sheets include changes to FIGS. 2 and 3. FIGS. 2 and 3 have been amended to comport with the amendments to the Specification. In particular, the symbols “d1” and “d2” have been removed.

Attachment: Replacement Sheets 1/7 and 2/7.

REMARKS

This paper is responsive to the Office Action dated March 22, 2007 (the “Office Action”).

Claims 1, 2 and 4-21 were previously pending in the application.

The specification and the drawings have been amended in this paper. Claims 1 and 2 have been amended in this paper. Claims 4-21 have been canceled in this paper. New claims 22-39 have been added in this paper. Accordingly, claims 1, 2, and 22-39 are now pending.

Claims 1 and 2 stand rejected.

Claim 1 is under objection.

Claim 1 is under objection as including informalities in grammar. Claims 1 and 2 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 2 stand rejected under 35 U.S.C. § 101 as being directed towards non-statutory subject matter. Claims 1 and 2 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,263,253 issued to Yang et al. (“Yang”). Claims 14-21 stood rejected under 35 U.S.C. §103(a) as being unpatentable over *Yang* in view of U.S. Patent No. 6,259,959 issued to Martin (“Martin”).

The amendments add no new matter. Applicant notes that the present application claims the benefit of U.S. Provisional Patent Application No. 60/229,840 (the “Provisional Application”), which was incorporated by reference on p. 1 of the present application as originally filed. Support for the above amendments may be found, for example, on pp. 3 and 4

of the Provisional Application; in the diagram at the bottom of p. 4 of the section labeled “Gating and Shortage Risk” of the Provisional Application; in claim 3 of the Application as originally filed; in lines 10-14 on p. 13 of U.S. Patent Application No. 09/412,560, which was incorporated by reference in the present application (on p. 9 of the Application and on p. 1 of the Provisional Application); on p. 5 of Appendix A, and p. 2 of Appendix B, and p. 1 of Appendix C of U.S. Provisional Patent Application No. 60/213,189, which was incorporated by reference in the present application (on p. 9 of the Application and on p. 1 of the Provisional Application).

Claim Objections

Claim 1 is under objection as including informalities in grammar. Claim 1 has been amended. Applicant respectfully submits that the amendment to claim 1 moots the pending objection.

Rejections under § 112, second paragraph

Claims 1 and 2 stand rejected under § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the rejection is addressed to the question of antecedent basis for “said increased component plan” and “said decreased component plan” in claim 2, and to the “estimating” and the “calculating” of component gate risk in claim 1.

Claims 1 and 2 have been amended. Applicant respectfully submits that the amendment to claims 1 and 2 renders the claims allowable under § 112, second paragraph.

Rejections under § 101

Claims 1 and 2 stand rejected under § 101 as being directed towards non-statutory subject matter. The Office Action argues that claim 1 does not produce a real world result and is therefore not tangible, “as values are merely computed.”

Claims 1 and 2 have been amended. Applicant respectfully submits that claims 1 and 2 are allowable under § 101. For example, claim 1 includes an act of “storing the component gating risk in a memory,” and thus clearly produces a real-world result. At least for this reason, Applicant submits that claim 1 is allowable under § 101. At least for similar reasons, Applicant submits that claim 2 is also allowable under § 101.

Rejections under § 102(e)

Claims 1 and 2 stand rejected under § 102(e) as being anticipated by *Yang*.

Applicant respectfully submits that the claims are allowable under § 102(e) because the cited reference fails to disclose each limitation of the claims. For example, claim 1 includes “computing a derivative of an expected quantity of products with respect to a quantity of a component of the products,” and claim 2 includes “computing a first expected quantity of products based on a first quantity of a component of the products.” At least these limitations of the claims are not disclosed or fairly suggested by the cited portions of *Yang*.

Rejections under § 103(a)

Claims 14-21 stood rejected under §103(a) as being unpatentable over *Yang* in view of U.S. Patent No. 6,259,959 issued to Martin ("*Martin*").

Claims 14-21 have been canceled. Applicant respectfully submits that the pending rejections under § 103(a) are therefore moot.


New Claims

New claims 22-39 are also allowable. These claims include limitations, such as "computing a derivative of an expected quantity of products with respect to a quantity of a component of the products," and "computing a first expected quantity of products based on a first quantity of a component of the products." At least these limitations of the claims are not disclosed or fairly suggested by the cited portions of *Yang*.

Conclusion

Applicant submits that all claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is requested to telephone the undersigned.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia, 22313-1450, on August 22, 2007.


Attorney for Applicant

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Date of Signature

Respectfully submitted,



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